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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application Serial No.: _____
Prior Application Filed: _____

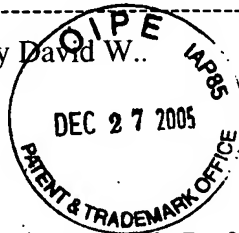
Prior Examiner: _____
Prior Group Art Unit: _____

In Re Application of: Presby David W..

Serial No.: 10/695,883

Filed: October 29, 2003

Confirmation No.: 7811



Group Art Unit: 3671

Examiner: Mayo, Tara L.

Paper No. 3

Dkt. No: PY374-SKIM

For: Method, Apparatus and Actuatable Perforator
For Creating Apertures in Pipe and Pipe Produced Thereby

To: Mail Stop: Fee Amendment (Rest. Req. Resp)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service EXPRESS MAIL POST OFFICE TO ADDRESSEE with sufficient postage on the date shown below in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.

Date: 12/24/2005

George W. Dishong

Reg. No. 31,348

ELECTION TRANSMITTAL

1. Transmitted herewith for filing is an Election Of Species for this application, responsive to the examiner's requirement under 35 U.S.C. §121.

STATUS

2. Applicant is:
[X] a small entity --- verified statement is
[] attached.
[X] already filed.
[] other than a small entity.

EXTENSION OF TERM

3. (complete (a) or (b) as applicable)
(a) Extension requested:

MONTHS

Fee for other than
Small Entity

Fee for Small
Entity

[X] two month

\$550.00

\$225.00

FEE \$225.00

[] An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension Fee due with this request

\$ 0.00

December 20, 2005

FEE FOR CLAIMS

4. The fee for claims is calculated as follows:

	(Col. 1)		(Col. 2)	(Col. 3)	Small Entity		Other Entity
	CLAIMS		HIGHEST	PRESENT	RATE	ADDIT	OR RATE
	REMAIN		NO. PREV	EXTRA		FEE	ADDIT
Total	* <u>07</u>	minus	**20	= 0	x25=	\$ 0.00	x50= \$0.00
Indep	* <u>03</u>	minus	***3	= 0	x100=	\$ 0.00	x200= \$0.00
[] 1ST PRESENT. OF MULTIPLE DEP. CLAIM					+180=	\$ 0.00	+360= \$0.00
TOTAL						\$ 0.00	OR TOTAL \$0.00
ADDIT. FEE						\$ 0.00	

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" is less than 3, enter "3".

(c) ☒ No additional fee is required or

(d) ☐ Total additional fee required \$ 0.00

5. FEE PAYMENT

☒ Attached is a check # 5125 in the sum of \$ 225.00

☐ Charge Account No. _____ the sum of \$ _____

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

☐ If any additional extension fee is required, charge Acct. No. _____

AND/OR

☐ If any additional fee for claims is required, charge Acct. No. _____

Respectfully submitted,


George W. Dishong

Attorney for Applicant

Registration No. 31,348

George W. Dishong Esq.
DISHONG LAW OFFICE
40 Bryant Road
Jaffrey, N.H. 03452

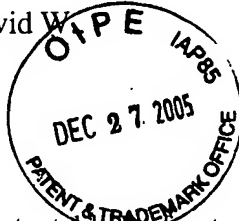
Tel. No. (603) 532-7206; FAX No. (603) 532-7303; Email: dishongpatlaw@monad.net

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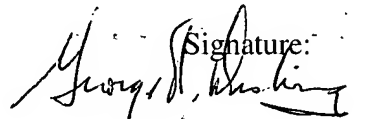
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I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 12/22/2005

Signature: 

[X] Request is hereby made for a two (2) month extension of time to respond to the Office Action dated 09/27/2005 U.S. Application Serial No. 10/695,883. With the two (2) month extension the due date for mailing the response is December 27, 2005. Sent by first class mail along with the response is Check No. 5125 dated 12/21/2005 for \$225.00 in payment of the extension of time fee.

RESPONSE UNDER 37 C.F.R. §1. 111, 35 USC §121

RESTRICTION UNDER 35 U.S.C. §121

Election of Group I with Traverse

Responsive to the Requirement for Election/Restriction Office Action dated **September 27, 2005**, Applicant herewith elects, with traverse, the invention identified as Group I which includes Claims 1-4, drawn to a perforator/skimmer tab former, classified in class 425, subclass 289. Examiner has identified what she has perceived to be four inventions characterised as Groups I - IV. Group I, claims 1-4 define the perforator/skimmer tab former; Group II, claim 5, drawn to a pipe skimmer actuator system, classified in class 425, subclass 175; Group III, claim 6, drawn to a method of forming conduit, classified in class 264, subclass 239; Group IV, claim 7, drawn to a